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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

CV No. 3:15-cv-01857-BR

LORI WAKEFIELD, individually and on
behalf of all others similarly situated,

Plaintiff,

vs.

VISALUS, INC., a Nevada corporation,

Defendant.

**DEFENDANT'S OBJECTIONS TO
PLAINTIFF'S AMENDED DEPOSITION
DESIGNATIONS**

Defendant, ViSalus, Inc. ("ViSalus") objects to Plaintiff Lori Wakefield and the Certified Class' Amended Deposition Designations [#265] as follows:

Justin Call

With respect to Mr. Call's January 20, 2017 deposition, Defendant's objections are as follows:

42:16-21 - vague as to “these lists”; calls for speculation

45:12-15 - lacks personal knowledge; lacks foundation; calls for speculation (simply reading title of document)

45:16-17 - irrelevant; lacks personal knowledge

45:18-22 - irrelevant; lacks personal knowledge; calls for speculation

45:23-46:2 - irrelevant

46:3-6 - lacks personal knowledge; speculation (reading title of document)

47:17-22 - lacks personal knowledge; calls for speculation

55:10-16 - lacks personal knowledge; calls for speculation; irrelevant (reading title of document)

55:17-20 - lacks personal knowledge; speculation

77:13-18 - lacks personal knowledge; speculation; lacks foundation

77:19-23 - lacks personal knowledge; speculation; lacks foundation

83:10-11 - irrelevant

83:15-20 - irrelevant; lacks personal knowledge; speculation

83:21-23 - irrelevant; lacks personal knowledge; speculation

83:24-84:3 - speculation; lacks personal knowledge; foundation

84:4-8 - speculation; lacks personal knowledge; foundation

84:13-20 - speculation; lacks personal knowledge; foundation

88:3-8 - speculation; lacks personal knowledge; lacks foundation

Scott Gidley (December 12, 2016 deposition)

With respect to Mr. Gidley's December 12, 2016 deposition, Defendant's objections are as follows:

136:14-20 -- speculation

146:9-11 -- speculation; lacks personal knowledge

146:12-14 -- speculation; lacks personal knowledge

154:25-155:3 -- vague (no identification of "information")

155:4-6 -- vague (no identification of "what as it relates to" references)

179:21-22 -- irrelevant

179:23-180:02 -- irrelevant; speculation

180:10-12 -- speculation

180:13-22 -- irrelevant; speculation

180:23-181:23 -- hearsay; lacks foundation

181:25-182:01 -- irrelevant

182:2-4 -- irrelevant; speculation

182:5-8 -- irrelevant

182:18-20 -- lacks foundation (witness did not testify that message was sent)

184:17-185:2 -- hearsay (on filed designations, it appears that plaintiff may have inadvertently left out some portion of the designations, which if true, I believe they should be allowed to amend)

189:8-15 -- irrelevant; speculation

189:16-19 -- irrelevant; speculation

189:20-22 -- speculation; lacks foundation

189:23-190:02 -- lacks foundation; speculation

190:18-19 -- lacks foundation; speculation

190:20-22 -- lacks foundation; speculation

190:23-191:1 -- lacks foundation; speculation

191:2-4 -- lacks foundation; speculation

194:11-12 -- speculation

194:14-16 -- speculation

194:17-22 --speculation ; irrelevant

194:23-195:1 -- speculation

195:2-16 -- speculation

195:21-24 -- speculation

196:1-4 -- speculation

Scott Gidley (December 12, 2017 deposition)

With respect to Mr. Gidley's December 12, 2017 deposition, Defendant's objections are as follows:

29:2-6 -- irrelevant (witness is reading)

36:4-8 -- speculation

71:14-20 -- speculation; lacks foundation

80:23-81:1 -- speculation; lacks personal knowledge

John Laun

With respect to Mr. Laun's November 16, 2016 deposition, Defendant's objections are as follows:

85:18-19 -- irrelevant

85:20-25 -- speculation; lacks personal knowledge

86:1-4 -- speculation; lacks personal knowledge

92:20-23 -- speculations; lacks personal knowledge

98:25-99:6 -- speculation; lacks personal knowledge (witness reading document)

DATED this 8th day of April, 2019.

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By /s/ John Maston O'Neal

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I hereby certify that I served the foregoing on Plaintiff the foregoing document:

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by the following indicated method or methods on the date set forth below:

- ☒ **CM/ECF system transmission.**
- ☐ **E-mail.** As required by Local Rule 5.2, any interrogatories, requests for production, or requests for admission were e-mailed in Word or WordPerfect format, not in PDF, unless otherwise agreed to by the parties.
- ☐ **Facsimile communication device.**
- ☐ **First-class mail, postage prepaid.**
- ☐ **Hand-delivery.**
- ☐ **Overnight courier, delivery prepaid.**

DATED this 8th day of April 2019,

/s/John Maston O'Neal

Attorneys for Defendant ViSalus, Inc.